

REMARKS

Claims 21 and 23-47 were pending in this application. By this amendment, claims 21, 23-26, 36, 39, 42, 45 and 46 are amended. Through amendment of these claims, dependent claims 27-35, 37-38, 40-41, 43-44 and 47 are also amended. Support for the amendments made herein can be found throughout the specification, for example at page 3, lines 22-31. In addition, new claims 48-57 are added herein. Support for new claims 48-57 can be found throughout the specification, for example at page 3, lines 22-34. No new matter is introduced by these amendments. Unless specifically stated otherwise, none of these amendments are intended to limit the scope of any claim. After entry of this amendment, claims 21 and 23-57 are pending in this application. Consideration of the pending claims is requested.

Withdrawn Rejections:

Applicants thank the Examiner for withdrawing the rejection of claims 5-12, 19, 20 and 22 under 35 U.S.C. § 112, first paragraph, as moot in light of cancellation of these claims. Furthermore, Applicants thank the Examiner for withdrawing the rejection of claims 21 and 23-30 under 35 U.S.C. § 112, first paragraph, and the rejection of claims 21 and 27 under 35 U.S.C. § 102(b) in light of Applicants' submitted argument and claim amendments.

Claim Rejections under 35 U.S.C. §102:

Claims 21, 23-29, 31, 34, 36, 37, 39, 40, 42, 43, 45 and 46 have been rejected under 35 U.S.C. §102 as being allegedly anticipated by Rockey *et al.*, *Molecular Microbiology*, 15(4): 617-626, 1995 ("Rockey *et al.*"). Applicants disagree. However, to further allowance of claims in this application, Applicants have amended claims 21, 23-26, 36, 39, 42, 45 and 46 to specify that the now claimed compositions and/or methods used to generate an immune response comprise at least two purified peptides, wherein at least a first peptide comprises at least 10 contiguous amino acid residues of SEQ ID NO: 8 and at least a second peptide comprises at least 10 contiguous amino acid residues of SEQ ID NO: 14. Claim 46 is also amended to correct a previous typographical error by making claim 46 now depend from claim 45. Through amendment of these claims, dependent claims 27-35, 37-38, 40-41, 43-44 and 47 are also amended. Support for the amendments made herein can be found throughout the specification,

for example at page 3, lines 22-31, which discloses the use of peptides of varying lengths (*e.g.*, 10, 15, 20, 25 or 30 contiguous amino acid residues) of the disclosed sequences (*e.g.*, SEQ ID NO: 8 and 14) in making immunostimulatory preparations.

Applicants submit that the Rockey *et al.* publication does not teach the now claimed compositions and/or methods because it does not teach the use of at least two peptides in which at least a first peptide comprises at least 10 contiguous amino acid residues of SEQ ID NO: 8 and at least a second peptide comprises at least 10 contiguous amino acid residues of SEQ ID NO: 14. In fact, Rockey *et al.* teaches only the use of *Chlamydia pssittaci* IncA (SEQ ID NO: 8) and does not teach nor disclose the use of *Chlamydia trachomatis* IncA (SEQ ID NO: 14), as used in the claimed compositions and/or methods. Thus, Rockey *et al.* does not anticipate the now claimed subject matter. The rejection of claims 21, 23-29, 31, 34, 36, 37, 39, 40, 42, 43, 45 and 46 based on 35 U.S.C. §102 should be removed in light of this explanation and the amendments to the claims made herein.

Claim Rejections under 35 U.S.C. §103:

Claims 30, 32, 33, 35, 38, 41, and 47 have been rejected under 35 U.S.C. §103 as allegedly being obvious in light of Rockey *et al.* Applicants disagree. However, as discussed above, dependent claims 30, 32, 33, 35, 38, 41 and 47 have been amended through the amendments made to the claims from which they depend. These amendments, which specify the use of, or methods for making compositions having, at least a first peptide comprising at least 10 contiguous amino acid residues of SEQ ID NO: 8 and at least a second peptide comprising at least 10 contiguous amino acid residues of SEQ ID NO: 14, render the rejection based on Rockey *et al.* inapplicable.

As discussed above, Rockey *et al.* does not teach nor suggest the use of *Chlamydia trachomatis* IncA (SEQ ID NO: 14) peptides or methods for making compositions including such peptides as used in the claimed compositions and/or methods. Thus, Rockey *et al.* does not and cannot render the claimed compositions and/or methods obvious. The rejection of claims 30, 32, 33, 35, 38, 41, and 47 based on 35 U.S.C. §103 should be removed in light of this explanation and the amendments to the claims made herein.

New Claims:

By this amendment, new claims 48-57 have been added to the application. Support for new claims 48-57 can be found in the original claims, and through the specification, for instance at page 3, lines 22-34. No new matter has been added by these amendments and no new search will be required to evaluate them as SEQ ID NO: 14 was searched by the Examiner prior to Applicants' previous response.

As discussed above, the Rockey *et al.* publication does not teach nor suggest the use of *Chlamydia trachomatis* IncA (SEQ ID NO: 14) peptides or methods for making compositions including such peptides inducing an immune response in a subject. Thus, new claims 48-57, directed to compositions and methods for inducing immune response using peptides derived from SEQ ID NO: 14 of at least 10 contiguous amino acid residues, are equally distinguished from the Rockey *et al.* publication.

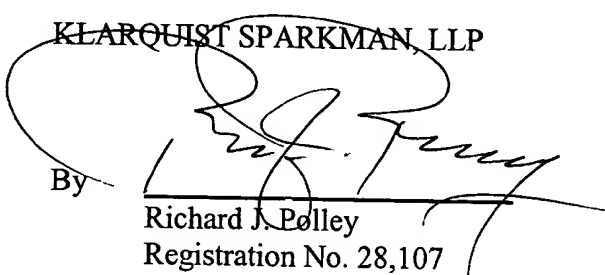
CONCLUSION

The present claims are in a condition for allowance. If it may further issuance of these claims, the Examiner is invited to call the undersigned patent attorney at the telephone number listed below.

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